

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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PETER MONTANA,

Plaintiff,  
-against-

RMS INDUSTRIES OF NEW YORK, INC.,  
DENNIS FERRO, GERI GREGOR, S2 HR  
SOLUTIONS 1A, LLC,

Defendants.

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**ORDER ADOPTING REPORT  
AND RECOMMENDATION**  
19-CV-2889 (DRH)(ARL)

Presently before the Court is the Report and Recommendation of Magistrate Judge Arlene R. Lindsay, dated September 24, 2020 recommending that the Court deny plaintiff's motion to disqualify counsel for Defendants, Stacey Ramis Nigro, Esq. and Simmons Jannace DeLuca LLP. More than fourteen (14) days have passed since service of the Report and Recommendation and no objections have been filed.

Pursuant to 28 U.S.C. § 636(b) and Fed. R. Civ. P. 72, this Court has reviewed the Report and Recommendation for clear error, and finding none, now concurs in both its reasoning and its result. Therefore, the Court adopts the September 24, 2020 Report and Recommendation of Judge Lindsay as if set forth herein. Accordingly,

**IT IS HEREBY ORDERED** that plaintiff's motion to disqualify Stacey Ramis Nigro, Esq. and Simmons Jannace DeLuca LLP is denied.

Dated: Central Islip, N.Y.  
October 9, 2020

/s/ Denis R. Hurley  
Denis R. Hurley  
United States District Judge